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COMMISSION ON THE STATUS OF WOMEN
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Agenda item 8

ADOPTION OF THE REPORT OF THE COMMISSION ON ITS THIRTY-NINTH SESSION

Draft report

Addendum

Rapporteur: Ms. Selma ASHIPALA (Namibia)

Chapter _____

MONITORING THE IMPLEMENTATION OF THE NAIROBI FORWARD-LOOKING STRATEGIES FOR THE ADVANCEMENT OF WOMEN

1. The Commission considered agenda item 5 at the 7th and 10th meetings on 20 and 24 March 1995. It had before it the following documents:

(a) Report of the Secretary-General on the situation of and assistance to Palestinian women (E/CN.6/1995/8);

(b) Note by the Secretary-General transmitting a non-confidential list of communications concerning the status of women (E/CN.6/1995/CR.31);

(c) Note by the Secretary-General transmitting a confidential list of communications concerning the status of women (E/CN.6/1995/SW Communications List No. 29);

(d) Report of the Secretary-General on the activities of the United Nations bodies and institutions concerned with crime prevention (E/CN.6/1995/9);

(e) Results of the fourteenth session of the Committee on the Elimination of Discrimination against Women (E/CN.6/1995/CRP.1);

(f) Note by the Secretary-General on steps to be taken by the Division for the Advancement of Women to ensure that relevant human rights mechanisms of the United Nations regularly address violations of the rights of women, including progress in preparing a joint work plan on women's human rights for the Centre for Human Rights and the Division for the Advancement of Women (E/CN.6/1995/13).

2. In addition, the Commission had before it, for information, the following documents:

(a) Report of the Committee on the Elimination of Discrimination against Women on its thirteenth session (A/49/38);

(b) Report of the Secretary-General on the status of the Convention on the Elimination of All Forms of Discrimination against Women (A/49/308);

(c) Report of the Secretary-General on the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women to the Year 2000 (A/49/349);

(d) Report of the Secretary-General on violence against women migrant workers (A/49/354).

3. In introducing agenda item 5, the Deputy Director of the Division for the Advancement of Women said that the issues covered by that item had a strong relationship with the preparations for the Fourth World Conference on Women. The main focus of the item was the enjoyment by women of their human rights, including consideration of communications; and the follow-up to the World Conference on Human Rights, including a possible optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women and matters related to the issue of violence against women as well as Palestinian women.

Palestinian women

4. One representative expressed concern that the report of the Secretary-General on the situation of and assistance to Palestinian women (E/CN.6/1995/8) did not take account of the fact that Palestinian women much more than Palestinian men were facing violation of their human rights both in the family and in society. Palestinian women experienced physical violence in their lives owing to harmful traditions, customs and armed conflicts. She referred to the restriction of the girl's access to education, and early marriage, and spoke about some measures that had been taken in order to provide women with legal support. She emphasized the importance of women's participation in the peace process.

Committee on the Elimination of Discrimination against Women

5. Many representatives indicated that they had ratified the Convention on the Elimination of All Forms of Discrimination against Women, and urged those States that had not done so to follow their example.

6. A few representatives stated that the Convention on the Elimination of All Forms of Discrimination against Women should be strengthened by inclusion of the right to petition, involving a procedure through an optional protocol that would allow the redress of individual and group grievances. This would create a broader public awareness of women's human rights and would place the Convention on an equal footing with other human rights instruments. The drafting of such a protocol should be started as soon as possible in order to use the momentum of the Beijing Conference.

7. A few representatives indicated that the Committee on the Elimination of Discrimination against Women (CEDAW) should be given adequate time to review the national reports submitted by States parties.

8. The Chairperson of CEDAW informed the Commission on the Status of Women about the results of the fourteenth session of the Committee presented in document E/CN.6/1995/CRP.1. In particular, she referred to the request for additional meeting time, noting that accession to that request would allow the Committee to eliminate some of its overwhelming work backlog.

9. She appealed to the Commission to adopt an optional protocol to the Convention, which would establish a clear framework in which the Committee could elaborate the normative content of women's rights as enshrined in the Convention.

Communications concerning the status of women

10. The Commission had before it a confidential list of communications concerning the status of women (SW Communications List No. 29), which was distributed in a sealed envelope to the representatives of each of its States members, and a non-confidential list of communications (E/CN/6/1994/CR.31).

11. One representative expressed support for the communications procedure by saying that it must remain a device for informing the Commission on violations of women's human rights which included publicity.

Mainstreaming women's human rights

12. Several representatives reaffirmed their belief in human rights and described the necessary action taken in this respect. A few references were made to national mechanisms that had been established to deal with the implementation of human rights and their violations. Others emphasized the implementation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, such as through amendments to legislation, law enforcement and assistance to victims, as representing ways to improve human rights. In one instance, an independent human rights commission where women could report violations had been established.

13. One representative stated that recommendations of the World Conference on Human Rights on the full integration of women's human rights had prompted different United Nations bodies to react and to consider, within their own mandates, relevant innovations of a substantial and procedural nature. National experience indicated that the integration of a gender perspective into any area

of policy-making required a clear conceptual analysis and a concrete implementation strategy. However, the fact that an overall coherent strategy on how to promote the mainstreaming of women's human rights step by step throughout the United Nations system was still missing called for a coherent plan of cooperation between the Centre for Human Rights and the Division for the Advancement of Women.

14. One representative emphasized that human rights of women should not be a specific critical area of concern but should be part of the framework that defined all areas and gave full meaning to all actions for the advancement of women.

15. A representative of an intergovernmental organization made a statement informing the Commission on the activities undertaken in the region to combat violence against women. In this respect, she underlined the provisions of the Inter-American Convention to Prevent, Sanction and Eradicate Violence Against Women. The Convention had been prepared by the Inter-American Commission of Women and adopted by the General Assembly of the Organization of American States (OAS). The representative also informed the Commission that the Convention had been signed by 16 States and was now open to any State that wished to adhere to it. In compliance with Article 102 of the Charter of the United Nations, the secretariat of OAS had taken measures to register the Convention at the United Nations.

16. With respect to violence against women, women's human rights, violence during armed conflict, and traditional practices, many non-governmental organizations made statements. All expressed great concern about the situation and agreed on the urgent need to eliminate all types of violence perpetrated against women. Several expressed the view that women had not been able to attain recognition of their human rights. Others stated that the situation of women and girls in respect to trafficking in women had deteriorated since the Nairobi Forward-looking Strategies had been adopted.

Violence against women, including women migrant workers

17. The representative of the Focal Point for Human Rights of Women, from the Centre for Human Rights, indicated that increased attention was being given to the promotion and protection of women's human rights in compliance with the Vienna Declaration. Furthermore, that issue had been incorporated into the mechanisms and procedures related to human rights. The Commission on Human Rights had adopted various resolutions including resolutions dealing with specific types of violence, such as that connected with the trafficking of women and girls, and that against women migrant workers, and with traditional practices affecting the health of women and children.

18. The Special Rapporteur on Violence against Women spoke about her mandate. This included reporting to the Commission on Human Rights, fact-finding missions to specific countries, the assessment of individual allegations of violence being committed against women, the forwarding of complaints to Governments with the purpose of receiving clarification and, in dialogue with States, the recommending of measures at all levels to eliminate violence against women. She further explained the legal framework and her priorities by referring to

relevant instruments dealing with human rights and violence against women. She reported that the process of collecting information in respect to the future programme of work had begun and urged Governments to provide information.

19. A few representatives stressed that violence against women was not only a manifestation of the unequal distribution of power between women and men, but also an instrument in maintaining this situation. It was a revealing indicator of the continuing subordination and inequality of women. Many women were facing violence in their lives because of harmful traditions, customs, or religious or cultural practices or armed conflicts.

20. One representative referred to domestic violence, incest and genital mutilation as the worst forms of violence. Another representative informed about the measures taken to combat domestic violence including the adoption of gender-sensitive legislation. A few representatives referred to the practice of sexual and other forms of violence and inhuman degrading treatment faced by women during war and military occupation. Some representatives referred to the violence against women migrant workers, refugees and displaced women.

21. Many representatives expressed great concern about the problem of different types of violence against women. One representative stated that the issue was insufficiently dealt with by the Nairobi Forward-looking Strategies. A few representatives stated that part of the problem was the lack of legal knowledge and legislation to protect women, as well as the lack of an effective mechanism for the implementation of national and international provisions, including the Geneva Conventions.

22. A few representatives indicated that they fully supported efforts to improve the collaboration between the Commission and the Centre for Human Rights, and welcomed the proposal for establishing a human rights section within the Division for the Advancement of Women.

23. A representative of the World Health Organization (WHO) emphasized that violence against women was a major public health issue, since it led to psychological trauma, depression, substance abuse, injuries, sexually transmitted diseases, human immunodeficiency virus (HIV) infection, suicide and death; however, the victims rarely received rehabilitative care, or the compensation received by the victims of other injury-causing trauma.